

PAUL J. WRIGHT, CSB No. 146809
Attorney At Law
24955 Pacific Coast Highway, Suite C-302
Malibu, California 90265
Telephone (310) 456-3812
Facsimile (310) 456-8558

Attorney for Plaintiff and Counter-Defendant,
KEN KING

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

KEN KING, an individual)	CASE NO. CV 104941 SVW (FFMx)
)	
Plaintiff,)	
)	PLAINTIFF AND COUNTER-
v.)	DEFENDANT'S ANSWER TO
)	COUNTERCLAIM
CHRISTIAN LASSEN, an individual;)	
LASSEN INTERNATIONAL INC., a)	
corporation, and DOES 1-50 inclusive)	
)	
Defendants.)	
<hr/>		
CHRISTIAN LASSEN, an individual; and)	
LASSEN ENTERNATIONAL, INC., a)	
corporation,)	
)	
Counter-Claimants)	
)	
v.)	
)	
KEN KING, an individual)	
)	
Counter-Defendant)	
<hr/>		

///

1 Plaintiff and Counter-Defendant, KEN KING (hereinafter referred to as “Counter-
2 Defendant”) responds to Defendants and Counter-Claimants’ Counterclaim as follows:

3 **JURISDICTION**

4 1. Counter-Defendant admits that this Court has jurisdiction over these counterclaims
5 under 28 U.S.C. §1367(a).
6

7 **GENERAL ALLEGATIONS**

8 2. Counter-Defendant admits the allegations contained in paragraph 2 of Defendants
9 Counterclaim.

10 3. Counter-Defendant lacks sufficient information to form a belief as to the truth or
11 falsity of the allegations contained in paragraph 3 of the Counterclaim. However, Cross-
12 Defendant denies that at all times Mr. Lassen has enjoyed “a good reputation generally and in
13 his business”.
14

15 4. Counter-Defendant admits, in part, the allegations contained in paragraph 4 of
16 Defendants Counterclaim. With regard to Defendants principal place of business, Counter-
17 Defendant denies the allegations. Michael Rountree, the former CFO and current Vice President
18 of Lassen International at all materials times conducted the Defendants business operations from
19 San Clemente, California and its founding President is a resident of Nevada.

20 5. Counter-Defendant lacks sufficient information to form a belief as to the truth or
21 falsity of the allegations contained in paragraph 5 of the Counterclaim.
22

23 6. Counter-Defendant denies the allegations contained in paragraph 6 of the
24 Counterclaim. In December, 2008, Counter-Defendant was engaged as Personal Assistant to
25 Defendant, Christian Lassen.

26 7. Counter-Defendant admits the allegations contained in paragraph 7 of Defendants
27

1 Counterclaim. Cross-Defendant was wrongfully terminated by Defendants.

2 8. Counter-Defendant denies the allegations contained in paragraph 8 of the
3 Counterclaim.

4 9. Counter-Defendant denies the allegations contained in paragraph 9 of the
5 Counterclaim.

6 10. Counter-Defendant denies the allegations contained in paragraph 10 of the
7 Counterclaim. Cross-Defendant admits that he discussed with Michael Rountree the fact that
8 Mr. Lassen passes off paintings as original art by him when Cross-Defendant was having other
9 painters paint the art.

10 11. Counter-Defendant denies the allegations contained in paragraph 11 of the
11 Counterclaim.

12
13 **FIRST CAUSE OF ACTION**

14 12. Counter-Defendant hereby incorporates by reference his responses to paragraphs
15 1 through 11 of this Answer as though fully set forth herein.

16 13. Counter-Defendant denies the allegations contained in paragraph 13 of the
17 Counterclaim.

18 14. Counter-Defendant denies the allegations contained in paragraph 14 of the
19 Counterclaim.

20 15. Counter-Defendant denies the allegations contained in paragraph 15 of the
21 Counterclaim.

22 16. Counter-Defendant denies the allegations contained in paragraph 16 of the
23 Counterclaim.

24 17. Counter-Defendant denies the allegations contained in paragraph 17 of the
25

1 Counterclaim.

2 18. Counter-Defendant denies the allegations contained in paragraph 18 of the
3 Counterclaim.

4 19. Counter-Defendant denies the allegations contained in paragraph 19 of the
5 Counterclaim.

6
7 **SECOND CAUSE OF ACTION**

8 20. Counter-Defendant hereby incorporates by reference his responses to paragraphs
9 2 through 19 of this Answer as though fully set forth herein.

10 21. Counter-Defendant lacks sufficient information to form a belief as to the truth
11 or falsity of the allegations contained in paragraph 21 of the Counterclaim.

12 22. Counter-Defendant denies the allegations contained in paragraph 22 of the
13 Counterclaim.

14 23. Counter-Defendant denies the allegations contained in paragraph 23 of the
15 Counterclaim.

16 24. Counter-Defendant denies the allegations contained in paragraph 24 of the
17 Counterclaim.

18 25. Counter-Defendant denies the allegations contained in paragraph 25 of the
19 Counterclaim.

20
21 **AFFIRMATIVE DEFENSES**

22 **FIRST AFFIRMATIVE DEFENSE**

23
24 As a separate and affirmative defense, Counter-Defendant alleges that the Counterclaim
25 and each claim for relief set forth therein as a matter of law and fact, fail to state sufficient facts
26 to constitute a Cause of Action against Counter-Defendant and that Cross-Claimant, a public

1 figure, asserts his Counterclaims knowingly the falsity thereof.

2 **SECOND AFFIRMATIVE DEFENSE**

3 As a separate and affirmative defense, Counter-Defendant alleges that any statements
4 made by Cross-Defendant were and are true and all claims in the Counterclaim are barred as a
5 matter of law and fact.

6 **THIRD AFFIRMATIVE DEFENSE**

7 As a separate and affirmative defense, Counter-Defendant alleges that the claims asserted
8 in the Counterclaim are barred by the doctrine of estoppel.

9 **FOURTH AFFIRMATIVE DEFENSE**

10 As a separate and affirmative defense, Counter-Defendant alleges that the claims asserted
11 in the Counterclaim are barred by the doctrine of waiver.

12 **FIFTH AFFIRMATIVE DEFENSE**

13 As a separate and affirmative defense, Counter-Defendant alleges that the claims asserted
14 in the Counterclaim are barred by Defendants own conduct which constitute unclean hands.
15 Counter-Defendant will request leave to amend this Answer to allege additional facts in support
16 of this affirmative defense.

17 **SIXTH AFFIRMATIVE DEFENSE**

18 As a separate and affirmative defense, Counter-Defendant alleges that the injuries and
19 damages alleged in the Counterclaim were caused, in whole or in part, by Defendants own acts
20 or omissions of persons or entities other than Plaintiff and that Defendants recovery from
21 Plaintiff must be denied accordingly. Counter-Defendant will request leave to amend this
22 Answer to allege additional facts in support of this affirmative defense.

SEVENTH AFFIRMATIVE DEFENSE

As a separate and affirmative defense, Counter-Defendant alleges that any claims in the Counterclaim are barred by Defendants failure to mitigate any and all of the alleged damages, if any, which Counter-Defendant expressly denies.

DATED: July 26, 2010



PAUL J. WRIGHT, ESQ.
Attorney for Plaintiff and Counter-Defendant
KEN KING

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 24955 Pacific Coast Highway, Suite C302, Malibu, California 90265.

On July 26, 2010, I served the foregoing document described as: **PLAINTIFF AND COUNTER-DEFENDANT'S ANSWER TO COUNTERCLAIM** by electronic transmission.

I am familiar with the United States District Court Central District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the Court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned Judge and any registered users in the case. The NEF will constitute service of the document. Registration as CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. Under said practice, the following CM/ECF users were served:

Demery Ryan, Esq.
Shahram Samie, Esq.
LITTLER MENDELSON
2049 Century Park East, 5th Floor
Los Angeles, CA 90067-3107

Executed on July 26, 2010 at Malibu, California.

XX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

XX (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


BARBARA MILLS

Proof of Service